

Attorney Docket No. T27511

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TC 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICANT: | LOVELL BRENT IVIE et al. |) | |
| | |) | |
| | |) | |
| TITLE: | INFORMATION COMMUNICATION SYSTEMS |) | REQUEST FOR RECONSIDERATION OF |
| | |) | HOLDING OF ABANDONMENT |
| SERIAL NO.: | 09/004,040 |) | |
| | |) | |
| FILED: | January 7, 1998 |) | |
| | |) | |
| EXAMINER: | V. Srivastava |) | MAR 23 2004 |
| | |) | |
| ART UNIT: | 2611 |) | Technology Center 2600 |

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

MAR 30 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

Sir:

On October 13, 2003, (Rule 8 date), Applicant filed Response A with Amendment in the above-captioned application via facsimile. A copy of this document is attached hereto as Exhibit A. The facsimile transaction report received by Applicant indicated that all thirty-three (33) pages (32 pages of Response A with Amendment plus a cover sheet) of the document were successfully transmitted,

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, this 18 day of March, 2004.

GRANT R. CLAYTON
Registration No. 32,462
Attorney for Applicant

and a copy of the transmission confirmation is attached hereto as Exhibit B. On March 17, 2004, Applicant received a Notice of Abandonment indicating that this application had been deemed abandoned for failure to file a response to the Office Action mailed on August 18, 2003.

Applicant submits that in view of the Rule 8 certificate and the facsimile transaction report, that a proper response to the Office Action was actually received by the Office. It appears, however, that the response was not associated with the Office file after it was received by the Office. Applicant notes that due to an inadvertent error the serial number recited on the Response A with Amendment is incorrect (by one digit), as shown on the copy of Response A with Amendment attached hereto as Exhibit A. Applicant notes, however, that all of the other information set forth in the caption on Response A with Amendment shown in Exhibit A is correct; namely:

1. The title is correctly set forth as INFORMATION COMMUNICATION SYSTEMS;
2. The Applicant is correctly identified as LOVELL B. IVIE ET AL.;
3. The filing date of the application is correctly set forth as January 7, 1998;
4. The attorney reference number is correctly set forth as T2701.DIV; and
5. The date of the Office Action is correctly set forth as August 18, 2003.

Applicant submits that all of the information set forth in the paper which was filed on October 13, 2003, is correct except for the inadvertent erroneous recitation of the serial number. Thus,

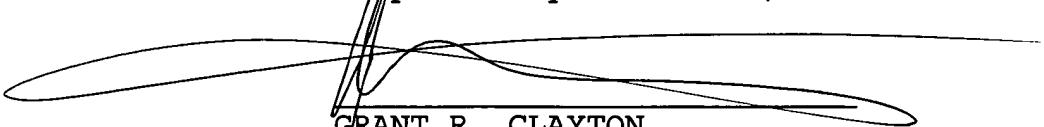
Applicant submits that the application was sufficiently identified in Response A with Amendment, that Response A with Amendment was timely filed, and that no abandonment in fact occurred. Applicant requests that the paper which was filed on October 13, 2003, now be associated with the proper file since the requirements for a response to the Office Action were satisfied. Applicant apologizes for any inconvenience the inadvertent erroneous recitation of the serial number has caused.

While the undersigned does not believe it necessary, this paper may be treated as a Petition to Revive and the fee required by 37 C.F.R. §1.17(m) may be charged to Deposit Account No. 50-0836.

Any questions regarding this paper may be directed to the undersigned.

DATED this 18 day of March, 2004.

Respectfully submitted,


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Attorney for Applicant

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